



February 26, 2020

Marathon County  
Approval

Dick Ostrowski  
Ostrowski Farms, Inc.  
218040 Black Cherry Dr.  
Eland, WI 54427

SUBJECT: Conditional Approval of Ostrowski Farms, Inc. Nutrient Management Plan, WPDES  
Permit No. 0062367-04-0

Dear Mr. Ostrowski:

After completing a review of Ostrowski Farms, Inc. 2020-2024 Nutrient Management Plan (NMP) the Wisconsin Department of Natural Resources (Department) is providing conditional approval that it is consistent with Nutrient Management Requirements in s. NR 243, Wis. Adm. Code. This part of your WPDES permit application is now ready for the public notice and comment process as required by Ch. 283 Stats.

Before applying manure onto approved fields each season, the Department recommends Ostrowski Farms, Inc. review the NMP with those individuals involved with manure applications to ensure all remain familiar with the approved manure spreading protocol, spreading maps, field and map verification, record keeping requirements, and all the conditions of this approval. Specifically, some fields in Ostrowski Farms, Inc. may have:

- Soils that may have bedrock or groundwater within 24 inches of surface,
- Multiple setback areas due to streams, conduits to streams, grassed waterways, wetlands or wells, and
- Evidence of possible soil erosion/flow channels. Note: road ditches or other man made channels may be considered flow channels or conduits to navigable water and may be subject to a SWQMA and setback.

Reviewing the NMP and checking fields for these features and soil conditions prior to manure applications will help Ostrowski Farms, Inc. maintain compliance with their WPDES permit and Ch. NR 243 requirements.

### FINDINGS OF FACT

The Department confirms that:

1. A current dairy herd size of 2,723 animal units (1,375 milking & dry cows, 850 heifers, and 425 calves). Currently there are no planned expansions in the next permit term.
2. Manure generation and spreading records indicate your herd will annually generate approximately 24,000,000 gallons of manure and process wastewater and 3,719 tons of solid manure in the first year of the permit term.
3. The use of application restriction options 1, 2 and 5 within surface water quality management areas.
4. The use of phosphorus delivery method P Index.
5. That Ostrowski Farms, Inc. currently has 3,015 acres (20.9 owned and 2,994.4 controlled through contracts, rental agreements or leases, or under manure agreements) of which 2,983 are spreadable acres.

6. That no fields are directly adjacent to or have high potential to deliver nutrients and sediment to a 303(d) impaired water.
7. That some fields included in the NMP are directly adjacent to or have high potential to deliver nutrients and sediment to outstanding/exceptional waters including: Unnamed Creek, Spranger Creek, Falstad Creek, South Branch Embarrass River, Comet Creek, Camp F Creek
8. That Ostrowski Farms, Inc. currently has at least 182 days of storage for liquid manure, process wastewater and rainfall and at least 59 days of storage for solid manure.

	<i>Total Volume</i>	<i>Maximum Operating Level (MOL) Volume</i>
PIT 1	6,180,000gal	5,201,575gal
PIT 2	820,000gal	595,655gal
PIT 3	3,250,000gal	2,681,693gal
PIT 4	3,260,000gal	2,691,963gal
PIT 5	1,150,000gal	720,000gal

9. That no fields are tiled.
10. That all fields will be checked for the following features prior to/during manure or process wastewater applications: soil areas with possible shallow groundwater (i.e., within 24 inches of surface) at the time of manure application; required setbacks associated with wells, navigable waters, conduits to navigable waters, grassed waterways, wetlands, possible soil erosion/flow channels.
11. That surface applications of manure will not be completed when precipitation capable of producing runoff is forecasted within 24 hours of the time of planned application.

### **CONDITIONAL NUTRIENT MANAGEMENT PLAN APPROVAL**

The Department hereby approves the 2020-2024 Ostrowski Farms, Inc. Nutrient Management Plan subject to the following conditions and the applicable requirements of Ch. NR 243, Wis. Adm. Code:

#### **FIELD AND MANURE MANAGEMENT**

1. Fields not included in the NMP and new fields shall not receive manure or process wastewater applications until they have been properly soil sampled, entered into Snap Plus, evaluated for their nutrient needs, and approved by the Department.
2. If existing fields yield a soil test results greater than 200 ppm P, those fields would be prohibited from receiving manure or process wastewater applications, unless you obtain Department approval in accordance with NR 243.14(5)(b)2., Wis. Adm. Code.
3. All liquid manure samples collected may be analyzed, at a minimum, for percent dry matter, total nitrogen, percent  $\text{NH}_4\text{-N}$ , percent  $\text{NO}_3\text{-N}$ , phosphorus, potassium, and sulfur.
4. If manure sample results have a dry matter (DM) content less than 2.0% and the percent ammonium ( $\text{NH}_4^+$ ) is greater than 75% of the total N, Ostrowski Farms, Inc. may use the following equation to adjust the first year available nitrogen when applications are injected or incorporated within 1 hour:

$$\text{First-Year Available N} = \text{NH}_4\text{-N} + [0.25 \times (\text{Total N} - \text{NH}_4\text{-N})]$$

5. Ostrowski Farms, Inc. shall record daily manure applications by using form 3200-123A. These forms shall be retained at the farm and provided to the department upon request.
6. Ostrowski Farms, Inc. shall annually submit a spreading report that summarizes the land application activities listed under NR 243.19(3)(c)5., Wis. Adm. Code by using form 3200-123.

## WINTER SPREADING

7. Liquid manure applications during winter conditions, as defined by NR 243.14(7), Wis. Adm. Code, are prohibited with the exception of emergency applications.
8. The following field(s) are approved for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
 

<ul style="list-style-type: none"> <li>- Gunderson</li> <li>- Zimm 1</li> <li>- Lunde 4</li> <li>- Breske 1</li> </ul>	<ul style="list-style-type: none"> <li>- Grosinski</li> <li>- Kied HF NE of Olsens</li> <li>- Kied left of drive center</li> <li>- Kied left of drive south</li> </ul>	<ul style="list-style-type: none"> <li>- Kied HF Right of Drive</li> <li>- Home Bettes East</li> <li>- Blackhouse Front</li> <li>- Blackhouse Back</li> </ul>
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9. The following field(s) are denied for winter spreading solid manure, emergency applications of liquid manure and frozen liquid manure:
  - Kied West of Grosinski  
(No maps submitted)
10. Winter spreading of solid and liquid manure may not occur during the “high risk runoff period” pursuant to s. NR 243.14(6)(c) and NR 243.14(7)(c), respectively.
11. Winter applications of liquid manure shall only occur under emergency situations, after notifying the Department and receiving verbal approval.
12. Liquid applications shall be limited to 3,500 gallons per acre or 30 lbs. P per acre, whichever is less, on slopes 2-6% and 7,000 gallons per acre or 60 lbs. P per acre, whichever is less, on slopes 0-2%. Winter applications of solid manure shall be limited to 60 lbs. P per acre.

## HEADLAND STACKING

13. The following sites are approved for winter headland stacking in February and March and non-frozen, non-snow-covered ground in all other months:
 

<ul style="list-style-type: none"> <li>- Blackhouse Back (all 3 sites)</li> </ul>	<ul style="list-style-type: none"> <li>- Godin East (North Center site, Center site, and South Center site only)</li> </ul>	<ul style="list-style-type: none"> <li>- Doug X Farm (Both sites)</li> </ul>
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14. The following sites are approved for winter headland stacking in February and March and non-frozen, non-snow-covered ground in all other months BESIDES March, April, and May:
 

<ul style="list-style-type: none"> <li>- Kied HF LFT of Drive Center/Kied HF LFT of Drive South</li> </ul>	<ul style="list-style-type: none"> <li>- Kied HF Right of Drive</li> </ul>
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15. The following sites are approved for winter headland stacking in February and March and non-frozen, non-snow-covered ground in all other months BESIDES April and May:
 

<ul style="list-style-type: none"> <li>- Kied HF NE of Olsen</li> </ul>	<ul style="list-style-type: none"> <li>- Gunderson (All sites)</li> </ul>
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16. The following sites are denied for headland stacking:

- Godin East (North Site)-  
Too close to Wetland\_
- Godin East (South Site)-  
Too close to Wetland

#### MANURE & PROCESS WASTEWATER IRRIGATION

17. The following fields are approved for process wastewater applications using pivot irrigation equipment:

- Home Dans
- Home Freds Hill
- Home Betts West
- Home Betts East

18. Irrigation application rates shall be limited to 10,000 gallons per acre (may be less in SWQMAs), per application event or 10,000 gallons per acre over a 5 day period if split applications are used.

19. Ostrowski Farms, Inc. shall allow a rest period of 14 days or more between each application event.

20. Irrigation applications during daytime hours shall not occur if sustained wind speeds of 12 miles per hour or more are documented. Sustained wind shall be defined as the average wind speed over a 15 minute period.

21. Irrigation applications during night time hours are prohibited.

22. Irrigation applications shall not occur when wind gusts exceed 20 miles per hour.

23. Ostrowski Farms, Inc. shall visually monitor fields receiving manure irrigation applications every hour or more frequently. Visual monitoring results shall be documented using the “Ostrowski Farms Inc Manure Irrigation monitoring Form” form. Copies of these forms shall be submitted to the department annually with the NMP Update and provided to the department upon request.

24. If Ostrowski Farms, Inc. receives approval from an adjacent dwelling resident to apply within 250 feet, the reduced setback does not become effective until a copy of the agreement is submitted to the department.

25. If additional fields are selected by Ostrowski Farms, Inc. for irrigation applications, those fields cannot be used for that purpose until department review and written approval is obtained.

#### SUBMITAL AND RECORDKEEPING REQUIREMENTS

26. A copy of this conditional approval shall be included in all future annual Nutrient Management Plan Updates in addition to the NR 243 and NRCS 590 checklists.

This conditional approval does not limit the Department’s regulatory authority to require NMP revisions (based upon new information or manure irrigation research findings) or request additional information in order to confirm or ensure your farm operation remains in compliance with NR 243 and your WPDES permit conditions. If additional information, project changes or other circumstances indicate a possible need to modify this approval, the Department may ask you to provide further information relating to this activity.

Please keep in mind that approval by the Department of Natural Resources – Runoff Management Program does not relieve you of obligations to meet all other applicable federal, state or local permits, zoning and regulatory requirements.

If you have any questions regarding this approval I can be reached at 715-839-3775 or [Aaron.Orourke@Wisconsin.gov](mailto:Aaron.Orourke@Wisconsin.gov).

Sincerely,

A handwritten signature in black ink, appearing to be 'AOR', written in a cursive style.

Aaron O'Rourke  
WDNR Nutrient Management Program Coordinator  
Wisconsin Department of Natural Resources

cc: Mark Kaczorowski, WDNR Agricultural Runoff Specialist ([Mark.Kaczorowski@Wisconsin.gov](mailto:Mark.Kaczorowski@Wisconsin.gov))  
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